



1952 9TH Avenue • Longview, Washington 98632-4045

EH INSTRUCTION NO. 56-2 FOOD FACILITY CLOSURE

AUTHORITY

WAC 246-215-200, Rules and Regulations of the State Board of Health for Food Service.

PURPOSE

To establish the procedures and process necessary for the closure of a food facility.

POLICY

When conditions exist in a food facility, which creates immediate danger to the public health or safety, actions must be taken to close the facility. Prior to ordering the facility closed, the concurrence of the Director of Environmental Health is necessary. When the Director of Environmental Health is not available, the Health Officer, or the Health Department Director can authorize this action. As a guideline, when EHS staff observes any of the following conditions, or when results from an approved laboratory indicate a health hazard regarding the food or water, a food facility may be ordered closed:

1. Sewage back-up to the extent the floor space is inundated, and/or may become contaminated by sewage from either overhead or flood situations.
2. Toilet and hand washing facilities cannot be used for more than one hour due to a malfunctioning private/public sewage disposal system or similar plumbing problem.
3. Absence of water (hot or cold) at a facility for more than one hour.
4. Absence of electricity such that refrigeration or freezers or other electrical food equipment are not operable in the facility for more than four hours.
5. Fire causing significant smoke damage or fire retardant contamination to food products, utensils or equipment or causing elimination of refrigeration/freezer service of potentially hazardous foods.
6. Food-borne disease outbreak where:
 - a. Two or more unrelated cases of communicable disease exist from a food facility and after consultation with the Department's EPI Team, Health Officer, or Personal Health Services Director indicates closure is warranted.
 - b. Continued cases of illness occur from a facility and the source(s) has not been identified or cannot be adequately controlled.
7. Surfacing sewage outside the food establishment, i.e., malfunctioning on-site sewage system, broke sewer line, etc. Appropriate corrective measures must be taken to prevent sewage on the ground within 24 hours. A permanent solution for maintaining the system, as required by the Cowlitz County Health Department, must be initiated within 30 days, otherwise permanent closure will be in effect until an approved system of sewage disposal has been installed and is functional.

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8. When there is gross contamination of the water supply by inorganic or organic chemical, bacteria, or radioactive constituents.
9. Continued and repeated violations of red inspection items relating directly to the protection of the public for food-borne illnesses.
10. Inspection resulting in an inspection score of 75 red-points or more and/or a total inspection score of at least 100 points.
11. An inspection score of over 35 red-point items or a percentage score less than 85 is attained upon the re-inspection.
12. Temporary or special event food establishments shall correct all red-point items discovered in the presence of the inspector or all food service must stop.

In addition, a food facility may be ordered closed for which the permit has been suspended or revoked in accordance with WAC 246-215-200, 246-215-230, 246-512-260, or where the food facility is found operating without a Food Permit, and reasonable time or means have been provided for the operator to apply for and obtain as required by WAC 246-215-200.

New food establishments must obtain a food service permit to operate prior to the commencing of business or the selling of any food product. Failure to obtain the food establishment permit will result in closure within 72 hours. Temporary permitted facilities must apply for the temporary health permit prior to operating, otherwise, immediately stop operating or pay the penalty fee on the day of operation (double fee).

IMPLEMENTATION

This policy shall be implemented by the Food Program staff or by other Sanitarians responding to either off-hour emergency incidents or special events.

The steps for Closure of Food Facility are as follows:

1. Food Program staff discovers one of the previous conditions. The Food Program Investigator (EHS/EHT) indicates condition on an inspection form.
2. Food Program staff person contacts the Program Coordinator, Director of Environmental Health, Health Officer, or the Department Director (in that order), requesting to commence with the closure of the food facility.

The field person approving the closure must obtain concurrence and is responsible for assuring that the facility operator is given the appeal process.

3. After approval has been given, fill out closure form and have owner/person in charge sign closure notice and inspection form, giving a copy to the owner/person in charge. If the owner is not there, send a copy of the closure notice to the mailing address. Inform the owner/person in charge that the food facility will remain closed until a satisfactory re-inspection has occurred.

If responsible party refuses to sign the forms, note, "Refused to sign" on each form and provide copies to that person.

4. Have the owner/person in charge inform the customers that the facility is closing. Post the closure sign, and make sure that the closure sign is visible from the front door.
5. Failure to follow a closure notice will allow for the assistance from the appropriate law enforcement agency.

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6. Give copy of the closure notice to the Director of Environmental Health, and place the original copy of notice into file. Provide a copy of the closure notice to the Health Officer as soon as they are available.

EFFECTIVE DATE

This procedure is effective immediately and shall remain in effect until cancelled or superseded.

Signature

Date

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Attachments: Closure Notice

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CLOSURE NOTICE

_____ shall **CEASE** operation for the following reasons:

This food establishment shall remain **CLOSED** until all the above listed item(s) have been corrected and inspected. When all corrective item(s) have been completed, contact this office for a **Reopening Inspection**.

An opportunity to appeal will be provided if a written request for a hearing is filed with the Cowlitz County Health Department within 10 days.

Person in Charge/Manager

Environmental Health Specialist/Technician

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